



Senate Bill 374: A Statewide Urban Search and Rescue Task Force, Regional Emergency Response Teams, and Making an Appropriation.

Testimony of State Senator Joan Ballweg

Senate Committee on Veterans and Military Affairs and Constitution and Federalism

September 1, 2021

Thank you, Chair Wimberger, and members of the committee for holding this public hearing.

The Division of Emergency Management within the Department of Military Affairs contracts with local agencies to staff both Wisconsin's Structural Collapse Team and the Regional Hazardous Materials Response Teams.

Wisconsin's Structural Collapse Team has been created in 2009 and is comprised of 11 local fire departments. The task force has been mobilized four times, including once in my district in response to the explosion at Cambria's Didion Milling plant.

The Regional Hazardous Materials Response Teams have been in existence for 26 years and are activated when there are incidents involving hazardous material spills, leaks, explosions injuries or if there is an immediate threat to life, the environment or property. There are currently 21 Regional Hazardous Materials Response Teams across the state.

In 2019, the Structural Collapse Team's contract expired due to concerns brought forward by the participating fire departments. SB 374 makes several changes to current law to ensure Wisconsin is able to maintain these critical teams and provides protections to the individuals who serve on them, including:

Broadening their Scope of Practice

Under current law the Structural Collapse Team may only respond to structural collapse incidents. Changing their designation to an Urban Search and Rescue Task Force, as defined by the National Fire Protection Agency and Emergency Management Accreditation program standards, allows them to respond to many different types of incidents beyond structural collapse, including vehicle extrication, confined space, wide space and water rescues.

Streamlining the Reimbursement Process

SB 374 provides certainty to our local agencies that when they are deployed, they will be swiftly reimbursed for their services. Under current law, participating jurisdictions are only reimbursed so long as they identify a responsible party, and they are able to collect from them. Under this bill, DMA will reimburse municipalities within 60 days and seek reimbursement from a responsible party. If DMA cannot cover the cost as they seek

reimbursement, they can request funds from the Joint Finance Committee under s. 13.10, lessening the financial pressure on our local municipalities.

Refining Worker's Compensation Benefits

Our local partners put themselves in dangerous situations when responding to disasters through our state task forces. Under current law, members who are training or deployed through a DMA contract are treated as an employee of the state for worker's compensation benefits purposes. Often times, this means if they are injured, they would be compensated at a lower rate than if they were considered on-duty with their local government. This bill would allow DMA to reimburse a local agency for an increase in contributions for duty disability premiums.

Funding for the training and equipment for this bill was included in the state's biennial budget. The amendment that was introduced removes that appropriation related language. This bill was drafted with the support of the Wisconsin State Fire Chiefs Association. The changes included in this bill are needed so we are not continuing to leave Wisconsin vulnerable to future emergencies.

Thank you for your consideration of this legislation, and I am happy to answer any questions.



Amy Loudenbeck

REPRESENTING WISCONSIN'S 31ST ASSEMBLY DISTRICT

Testimony before the Senate Committee on Veterans and Military Affairs and Constitution and Federalism Senate Bill 374

Good morning, Mr. Chair and members. Thank you for holding this hearing today on Senate Bill 374 relating to statewide urban search and rescue task force, regional emergency response teams, and making an appropriation. I apologize I am unable to attend the hearing today due to a previously scheduled commitment in my district. Please feel free to reach out to my office if you have any questions on the bill.

Wisconsin maintains several specialized response teams consisting of personnel from local agencies that contract with the Division of Emergency Management in the Department of Military Affairs (DMA). SB 374 makes several important changes to current law relating to the Statewide Structural Collapse Team and the Regional Hazardous Material Response Teams.

The Structural Collapse Team has been in existence since 2005. They are a team of individuals specializing in urban hazard mitigation, search and rescue, and incident stabilization. While their emphasis is the location and extrication of victims trapped in collapsed structures or confined spaces, the team is capable of responding to state and national disasters including earthquakes, hurricanes, tornadoes, floods, and man-made technological and terrorist events. Team members are employees of fire departments across Wisconsin, including Antigo, Appleton, Beloit, Chippewa Falls, Green Bay, Janesville, La Crosse, Menomonie, Neenah-Menasha, Oshkosh, and Superior.

Regional Hazardous Materials Response Teams have been in existence since 1995 and may be activated for an incident involving a hazardous materials spill, leak, explosion, injury or the potential of immediate threat to life, the environment, or property. They provide specialized hazardous material resources to aid communities in incident stabilization and hazard mitigation activities. To provide a high level of hazardous materials response capabilities to local communities, Wisconsin Emergency Management contracts with and manages twenty-one Regional Hazardous Materials Response Teams across the state.

In an effort to ensure these statewide teams are able to serve Wisconsin in the short and long-term, SB 374 makes select statutory changes that are needed in order to maintain these critical teams and protect the individuals serving on them.

First, SB 374 changes the Structural Collapse Team to an Urban Search and Rescue Task Force, enabling them to maximize their service potential, broadening the scope of practice and making the asset much more valuable to Wisconsin residents. New deployments for the team would cover collapse, trench, confined space, high angle, cave, wide area search, swift water rescue, and flood response.

SB 374 also streamlines the reimbursement schedule for deployments; requiring DMA to reimburse a qualifying municipality in a timely fashion and to seek reimbursement from the responsible party. If DMA does not have adequate funds to cover that cost as it awaits the reimbursement, it may request those funds from the Joint Committee on Finance under s. 13.10.

Finally, SB 374 would allow DMA to reimburse a local agency for any increase in contributions for duty disability premiums because an employee incurred an injury while performing duties as a member of an Urban Search and Rescue Task Force or a Regional Hazardous Materials team.

This bill was drafted at the request of several Wisconsin fire chiefs, many of whom are here today to testify, who have legitimate concerns about duty disability liability and financial risk for their local communities under the current arrangement. In addition, the new and improved Urban Search and Rescue Task Force will be well-positioned to serve Wisconsin residents when disaster strikes and technical expertise beyond the capability of the local community is needed.

Again, thank you for your time today and please do not hesitate to reach out to my office if you have any questions.



Correspondence Memorandum

Date: Tuesday, August 31, 2021

To: Members of the Senate Veterans, Military Affairs, Constitution & Federalism Committee

From: WSFCA President, David Litton

Re: Support Senate Bill 374

On behalf of the Wisconsin State Fire Chiefs Association (WSFCA), we sincerely appreciate your continued commitment to first responders serving Wisconsin communities in response to fire and rescue emergencies. The WSFCA would appreciate your support of our mission of saving lives and structures by supporting SB 374 - that would redesignate the Regional Structural Collapse Team to a Statewide Task Force as well as provide updates and necessary modifications to state statutes that support the Statewide Task Force as well as the Wisconsin State Hazardous Materials Team

By way of this memo, the WSFCA is requesting committee members to vote in favor of legislation that would ensure the communities and their individual career and volunteer fire fighters serving on the Task Force and/or HazMat Team are provided the necessary statutory safeguards; given the risks associated in serving the state of Wisconsin during hazardous and disaster-related incidents.

In addition to redesignation of the Statewide Task Force that would broaden their scope of practice and qualifications to respond to additional types of emergencies, the proposed statutory updates would achieve one primary goal – **Certainty and protection for the individual fire-fighting personnel serving on these teams as well as the individual municipalities that are lending their personnel for the state's benefit.**

Senate Bill 374 achieves this goal by:

1. Streamlining the reimbursement schedule for deployments.
2. Ensure duty disability for fire fighters injured, disabled, or killed in the line of duty during a state deployment.

Additionally, since the creation of the Wisconsin State Regional Structural Collapse Team in 2009 Act 43, eleven municipalities/fire department personnel (from Beloit to Superior) have been mobilized to respond to structural collapse and water rescue missions. The collapse team's efforts are contracted with the Wisconsin Department of Military Affairs (DMA). To no fault of the Collapse Team, the contract with DMA expired in June 2019. This contract expiration has resulted in a void of a mission-ready team. **The team has been unable to train or respond to Wisconsin emergencies for the past 26 months.** This needs to be addressed immediately.



WISCONSIN STATE
FIRE CHIEFS ASSOCIATION
Together We Make A Difference

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Thank you once again for engaging and considering support of SB 374 that will benefit Wisconsin fire service personnel, the communities they serve and the Wisconsin residents in need of emergency response. If you should have further questions or need additional information, please contact George Klaetsch at gklaetsch@kpasllc.com



Racine Fire Department
810 Eighth St, Racine WI 53403

August 31, 2021

Senator Eric Wimberger
Senator André Jacque
Committee on Veterans and Military Affairs
PO Box 7882 Room 104 South
Madison, WI 53707

Honorable Members of the Committee on Veterans and Military Affairs,

On behalf of the Racine Fire Department in Southeast Wisconsin we would like to extend our full support for passage and implementation of Senate Bill 374 regarding the re-creation of the Urban Search and Rescue Task Force or TF1 for the State of Wisconsin, formally known as Regional Structural Collapse Team.

Focusing on the future it is critically important for the State of Wisconsin to have a solid Urban Search and Rescue Task Force distributed throughout the state in regions for rapid response to emerging emergencies that occur. Travel time to an emergency will mean the difference between survival and demise.

Thinking in terms of the devastation that has just occurred this past weekend in Louisiana with Hurricane Ida they are experiencing many instances of structural collapse, extrication of trapped victims in motor vehicles, complicated extrication of victims from machinery, confined space rescues, trench rescues and of course water rescue operations. In Wisconsin we do not experience the same destructiveness of a hurricane however we do frequently experience tornados, flooding, straight line wind damage, and building collapses. New neighborhood construction also brings with it the potential for trench collapses while installing underground utilities. Many businesses throughout the state have OSHA identified confined spaces where victim rescues occasionally occur.

The creation of Regional Urban Search and Rescue teams similar to the current Regional Hazardous Materials teams will allow for rapid regional responses to emergencies, shorter response times and the ability to call in other regions when the emergency extends beyond 12 hours of operation. Caches of equipment located in regions throughout the state similar to the way Regional Hazardous Materials Teams are configured will insure a rapid response to



Racine Fire Department
810 Eighth St, Racine WI 53403

emergencies as opposed to the past way of handling Structural Collapse response with all the equipment located in one spot.

Another aspect that needs consideration is the need for funding both for training and equipment. In order for the regional teams to be proficient they need to regularly train on the disciplines associated with Urban Search and Rescue without impacting thin local financial resources. Additionally, modern search and rescue equipment remains essential for efficient emergency operations. For more than 25 years the Regional Haz Mat teams have maintained operational readiness and equipment through GPR funding and we strongly urge you to follow a similar model for funding the Regional Urban Search and Rescue Teams.

The Wisconsin State Fire Chiefs Association is spearheading this initiative to bring Wisconsin up to speed in our ability to provide regional responses to structural collapses, high and low angle rope rescue, complex vehicle extrications, complex machinery extrication, confined space rescues, trench rescues and water/swift water rescue operations. Again the Racine Fire Department in Southeast Wisconsin fully support this effort and strongly encourages you to pass the creation of Regional Urban Search and Rescue teams and provide appropriate GPR funding for the safety of all our citizens and first responders alike.

Sincerely,

Steven C. Hansen, Fire Chief

Cc: Chief Christopher Garrison
WSFCA
Division Chief Brian Wolf
File



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Phone 920.448.3280

David Litton
Fire Chief

September 1, 2021

The Honorable Senator Eric Wimberger, Chair
Committee on Veterans and Military Affairs and Constitution and Federalism

First let me thank the Chair, Senator Eric Wimberger and all of the members of the committee for holding this hearing and allowing us to address you today. My name is David Litton, and I am the Fire Chief for the Green Bay Metro Fire Department as well as the President of the Wisconsin State Fire Chief's Association.

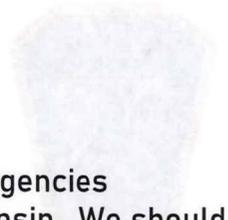
We are here to offer our support for Senate Bill 374 regarding legislation that will allow the amendment of the contract between the State of Wisconsin (Wisconsin Emergency Management Agency) and the member fire departments that provide personnel for the Wisconsin Urban Search and Rescue Team, commonly referred to as Wisconsin Task Force 1 (WI-TF 1). The member departments include Antigo, Appleton, Beloit, Chippewa Falls, Green Bay, Janesville, La Crosse, Menomonie, Neenah-Menasha, Oshkosh and Superior. As you can see from this list, we have the state covered from north to south, east to west and every area in between.

Since June of 2019, Wisconsin Technical Rescue Team (WI-TF 1) has not been operational due to issues identified by the team's participating municipalities. This legislation addresses those concerns and will allow the team to move forward with an "all hazards" approach which includes: structural collapse, high angle, trench, confined space, swift water, flooding and wide area search rescues. Because Wisconsin does not currently have this resource, we must rely on Illinois, Iowa, Minnesota, Missouri, or other Federally recognized teams to respond and save lives in Wisconsin. Such a delay does have obvious serious ramifications.

We've all seen the recent devastation in Florida with the collapse of a high-rise apartment building. As we speak, the team from Illinois has been requested and dispatched to New Orleans to assist with the emergency response created by hurricane Ida. We can't allow ourselves to think that these things will never occur in Wisconsin. While I'm pretty sure that we are safe from a hurricane, there are other natural and man-made disasters that certainly have the potential to affect our great state.

Proudly serving the communities of Allouez, Bellevue, and Green Bay





I want to urge you to vote affirmatively on Senate Bill 374 so that the member agencies can once again train for and respond to these very serious events within Wisconsin. We should not have to wait for a response from a neighboring state.

Thank you for the opportunity to address the committee.

September 1, 2021

David W. Litton, Fire Chief
Wisconsin State Fire Chiefs Association President

The Honorable Senator Eric Wamboldt, Chief
Committee on Veterans and Military Affairs

First let me thank the Chief, Senator Eric Wamboldt and all of the members of the committee for holding this hearing and allowing us to address you today. My name is David Litton and I am the Fire Chief for the Green Bay State Fire Department as well as the President of the Wisconsin State Fire Chiefs Association.

We are here to offer our support for Senate Bill 374 regarding legislation that will allow the agreement of the contract between the State of Wisconsin (Wisconsin Emergency Management Agency) and the member fire departments that provide personnel for the Wisconsin Urban Search and Rescue Team, commonly referred to as Wisconsin Task Force 1 (WI-TF 1). The member departments include Appleton, Beloit, Chippewa Falls, Green Bay, Janesville, La Crosse, Menomonie, Neenah-Menasha, Oshkosh and Waupun. As you can see from the list, we have the state covered from north to south, east to west and every area in between.

Since June of 2017, Wisconsin Tactical Rescue Team (WI-TF 2) has not been operational due to issues identified by the team's participating municipalities. This legislation addresses those concerns and will allow the team to move forward with an "all hazards" approach which includes structural collapse, high angle, trench, confined space, wild water, flooding and wild area search rescue. Because Wisconsin does not currently have this resource, we must rely on Illinois, Iowa, Minnesota, Missouri, Wisconsin, or other tactical rescue teams to respond and save lives in Wisconsin. Such a delay does have obvious serious ramifications.

We've all seen the recent devastation in Florida with the collapse of a high-rise apartment building. As we speak, the team from Illinois has been requested and dispatched to New Orleans to assist with the emergency response created by Hurricane Ida. We can't show ourselves to think that these things will never occur in Wisconsin. While I'm pretty sure that we are safe from a hurricane, there are other natural and man-made disasters that certainly have the potential to affect our great state.





STATE OF WISCONSIN
DEPARTMENT OF MILITARY AFFAIRS
DIVISION OF EMERGENCY MANAGEMENT

Darrell L. Williams, Ph.D.
Administrator

Tony Evers
Governor

To: Whom it may concern

From: Darrell L. Williams, Ph.D., Administrator of Wisconsin Emergency Management

Re: Wisconsin Task Force 1 (WI-TF1) Performance During Four (4) Deployments

Date: October 15, 2020

10-15-20

This letter is written to commend the Wisconsin Task Force 1 (WI-TF1) for their outstanding performance during each of their deployments. Since its creation, WI-TF1 has been mobilized four (4) times. They were deployed twice as an Urban Search and Rescue Task Force and twice for its Water Rescue Mission Ready Packages (MRPs).

The first ever mobilization of WI-TF1 occurred on the morning of June 1, 2017 at the request of the fire chief of the Cambria Volunteer Fire Department to assist in the search for victims following the explosion and structural collapse of the Didion Milling plant. WI-TF1 operated through the night and was instrumental in locating the remains of two victims that had succumbed to this collapse. Their professionalism and courageous action during this difficult time brought great credit upon themselves and the State of Wisconsin. It also highlighted the value of this asset during such an event. After successful completion of this mission, the WI-TF1 was demobilized on the afternoon of June 2, 2017.

Second, the WI-TF1 also deployed to Florida on September 10, 2017 in the aftermath of Hurricane Irma under an Emergency Management Assistance Compact (EMAC) request. The Task Force had been requested to assist with search and rescue efforts in the Jacksonville area. However, the mission was cancelled two days later when damage from the hurricane was less severe than anticipated in that area. Despite this mission being cancelled, it reflected well on the State of Wisconsin to have such an asset to be able to respond and to help other states in need.

Third and fourth, the WI-TF1's water rescue capabilities were mobilized twice during the severe storms that Wisconsin experienced in August-September 2018 (which later became federal disaster DR-4402):

- On August 28, 2018, a total of 22 personnel of WI-TF1 were mobilized due to multiple requests for water rescue resources. Over the course of two operational periods, WI-TF1 personnel rescued or evacuated 26 civilians and 5 dogs during water operations in Crawford County. After successfully completing this mission and the need for water rescue resources diminished, the task force was demobilized on August 30, 2018.
- On September 4, 2018, due to continued storms and rising flood waters, the need for additional water rescues was anticipated and 21 personnel of WI-TF1 were mobilized and staged at the Regional Emergency All Climate Training Center (REACT) at Volk Field to be deployed for flood/swift water incidents in the state. Although the task force was not assigned to any incidents, their preparedness and capability enhanced the readiness of our State to respond during such an event. After completion this mission, the task force was demobilized September 5, 2018.

During both missions, the professionalism and courageous action of WI-TF1 is to be commended. Because of their brave actions, 26 priceless lives and 5 animals were saved and taken to safety. Again, during this difficult time, WI-TF1 responded and achieved great success. Such action brought great credit upon themselves and the State of Wisconsin. It also highlighted the value of this asset during such an event.

Although the WI-TF1 has only been mobilized four (4) times, during each response they performed admirably and provided an invaluable service to the people of the great State of Wisconsin.



2021 Senate Bill 374

Relating to a statewide Urban Search and Rescue Task Force, Regional Emergency Response Teams and Making an Appropriation.

Wisconsin's Urban Search and Rescue Task Force (WI-TF1) is a team of individuals specializing in urban hazard mitigation, search and rescue, and incident stabilization. While their emphasis is the location and extrication of victims trapped in collapsed structures or confined spaces, the task force has the needed capabilities to respond to state and national disasters including earthquakes, hurricanes, tornadoes, floods, as well as man-made technological and terrorist events. WI-TF1 is a response asset operated and managed by Wisconsin Emergency Management (WEM) and has historically been funded through federal Homeland Security funds.

WI-TF1 is comprised of about 140 highly trained personnel including structural engineers, canine handlers, technical search specialists, doctors, and advanced rescue personnel. Many of the members of WI-TF1 are firefighters with local municipalities that had a contract with WEM to make their personnel available for training and deployment.

Task Force members are prepared to respond to large-scale disasters and are trained and equipped to locate, treat, and extricate victims trapped in collapsed structures. The capabilities of WI-TF1 are not designed to replace the highly trained local responders in our state, but rather, is built and maintained to support and enhance these local responders in times of disaster.

Capabilities inherent to WI-TF1:

- Assessment, management, and coordination of chaotic or large incidents
- Technical, Wide Area, and K9 Search organization, management, and execution
- Access and Rescue of victims from a wide variety of technical and disaster situations
- Advanced medical care
- Establish and maintain communications, both internal and outside of WI-TF1. This includes radio, cellular, and internet using internal communications cache and outside resources
- Hazardous materials assessment and monitoring
- Structural assessment
- Robust equipment cache, including a vehicle fleet and base of operations (tents)
- Self-sustaining for 72 hours (food, shelter, water, sanitation)
- Deployable up to 14 continuous days

Since its formation in 2009, WI-TF1 has been mobilized twice as an Urban Search & Rescue (US&R) Task Force, once for the explosion and structural collapse of the Didion Milling plant in Cambria, WI on June 1-2, 2017, and once to Florida in the aftermath of Hurricane Irma under an EMAC request. Additionally, during the severe storms that Wisconsin experienced in August-September 2018, WI-TF1's swift water rescue capabilities (a smaller subset of the task force) were mobilized.

The most recent contract between WEM and the participating municipalities for "Statewide Structural Collapse Team Members" expired on December 31, 2018. Several meetings were held to discuss renewal of the contract but there were significant issues that the participating fire chiefs necessitated be addressed before a new contract would be executed. These included:

1. Scope of practice of the team
2. Reimbursement and reimbursement process
3. Sustainable and ongoing funding for task force expansion
4. Line of duty injuries and disabilities

The Wisconsin State Fire Chiefs Association (WSFCA) sought to address these issues through legislative action. The issues that must be addressed to reorganize and maintain the task force as a viable response asset for the State of Wisconsin are embodied in SB 374.

Currently, in the absence of a contract, WI-TF1 ceased to be a deployable resource and the training of task force members was suspended effective June 30, 2019.

Agency Position

The Department of Military Affairs/Division of Wisconsin Emergency Management conceptually supports the enactment of SB 374 as standing WI-TF1 back up will act to fill the capability gap that currently exists in the state. However, successfully reorganizing, and standing WI-TF1 back up as a response asset will require funding and position authority and neither is provided in SB 374 or the adopted FY 2022-23 Budget. Further, the Department remains concerned that this bill and the budget seem predicated on the assumption that federal Homeland Security Funds will be available in 2022 and beyond to sustain and expand the task force. This is not a given as the receipt and use of these funds by the state are directed in part by federal guidance and ever-changing priorities.

The Department's position may be affected by amendments to the bill that create adverse impact.

Additional Information

At the time WI-TF1 was stood down there were 11 fire departments that participated on the task force. These are: Antigo, Appleton, Beloit, Chippewa Falls, Green Bay, Janesville, La Crosse, Menomonie, Neenah-Menasha, Oshkosh, and Superior. Several instructors and other personnel assigned to the Regional Emergency All Climate Training (REACT) Center are also members of the Task Force or provide support services.

Since 2009, approximately \$7.4 million in federal homeland security funds has been spent training and equipping WI-TF1.